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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,686	11/28/2001	Akinori Tsubouchi	042207	8464

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EXAMINER

CHOWDHURY, SUMAIYA A

ART UNIT PAPER NUMBER

2623

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/994,686	<b>Applicant(s)</b> TSUBOUCHI ET AL.	
	<b>Examiner</b> Sumaiya A. Chowdhury	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Arguments***

1. Applicant's arguments, see Remarks, filed 4/17/06, with respect to 09/994686 have been fully considered and are persuasive. The Office Action of 1/18/06 has been withdrawn.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shintani (6721018) in view of Shoda (Patent No: JP411032267A; Application No: JP09185541).

As for claim 1, Shintani discloses in a digital and analog broadcasting receiver comprising both a digital tuner (102 – Fig. 1) for receiving digital broadcasting and an analog tuner (101 – Fig. 1) for receiving analog broadcasting, a digital and analog broadcasting receiver comprising:

a first CPU (104 – Fig. 1);

the first CPU being in charge of existent station channel search processing on the side of the digital tuner and also being in charge of existent station channel search processing on the side of the analog tuner, channel searches by the two tuners

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controlled by the CPU being concurrently conducted – col. 3, lines 42-48, col. 4, lines 55-65, col. 5, lines 10-19.

However, Shintani fails to disclose:

a second CPU in charge on the side of the analog tuner.

In an analogous art, Shoda teaches wherein there is a first cpu (15 – fig. 1) in charge of a first tuner (11 – fig. 1) and a second cpu (52 – fig. 1) in charge of a second tuner (50 – fig. 1) – (See abstract and solution).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Shintani's invention to include having two tuners controlled by two separate processors, as taught by Shoda, for the advantage of providing independent but concurrent channel processing/manipulation in order to save time.

As for claim 2, Shintani and Shoda disclose wherein  
when the existent station channel search is started,  
the first CPU instructs the existent station channel search and performs the existent station channel search processing on the side of the digital tuner, and  
performs the existent station channel search processing on the side of the analog tuner upon receipt of the instruction to start the search from the first CPU – (Shintani col. 4, lines 45-52).

Additionally, Shoda teaches wherein the second CPU controls the second tuner as discussed above in claim 1.

As for claims 3 and 4, Shintani discloses wherein the first CPU inputs a signal based on a key operation by a user and operates – col. 4, lines 38-45. Shoda teaches wherein the second CPU controls the second tuner as discussed above in claim 1.

As for claims 5 – 8, Shintani and Shoda disclose the claimed limitations. In particular, Shintani discloses the receiver comprising

a first memory (memory portion within 206 – Fig. 2 for storing station channel search data of the digital tuner); and

a second memory (memory portion within 206 – Fig. 2 for storing station channel search data of the analog tuner),

the first CPU controls the writing and read-out of channel information to and from a first memory, and the second CPU controls the writing and read-out of channel information to and from a second memory – col. 7, lines 7-14.

As for claims 9-12, Shintani and Shoda wherein the second CPU feeds the channel information obtained in the existent station channel search processing to the first CPU, and the first CPU manages all the channel information on one memory.

In particular, Shintani discloses wherein the two tuners simultaneously scan frequencies to create a channel map. The processor (first CPU) uses the two tuners in parallel to scan the available frequencies and locate receivable channels and stores the channel map information in memory (206) – col. 4, lines 45-52, col. 7, lines 7-13. Shoda teaches wherein the second CPU controls the second tuner as discussed above in claim 1.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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